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SOUTHERN DISTRICT OF CALIFORNIA

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

January 2007 Grand Jury

UNITED STATES OF AMERICA, ) Criminal Case No. 08CR0212-JLS  
Plaintiff, ) I N D I C T M E N T  
v. ) (Superseding)  
BENNY LOPEZ (1), ) Title 8, U.S.C.,  
JUAN JOSE AGUIRRE-CRUZ (2), ) Sec. 1324(a)(2)(B)(ii) -  
Defendants. ) Bringing in Illegal Aliens for  
Financial Gain; Title 18, U.S.C.,  
Sec. 2 - Aiding and Abetting;  
Title 8, U.S.C.,  
Secs. 1324(a)(1)(A)(ii) and  
(v)(II) - Transportation of  
Illegal Aliens and Aiding and  
Abetting; Title 8, U.S.C.,  
Sec. 1324(a)(2)(B)(iii) -  
Bringing in Illegal Aliens Without  
Presentation; Title 18, U.S.C.,  
Sec. 2 - Aiding and Abetting;  
Title 8, U.S.C.,  
Secs. 1324(a)(1)(A)(iii) and  
(v)(II) - Harboring Illegal Aliens  
and Aiding and Abetting; Title 18,  
U.S.C., Sec. 3147 - Commission of  
Offense While on Pretrial Release

The grand jury charges:

Count 1

On or about January 13, 2008, within the Southern District of California, defendants BENNY LOPEZ and JUAN JOSE AGUIRRE-CRUZ, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely,

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1 Victor Manuel Ayon-Lizarraga, had not received prior official  
2 authorization to come to, enter and reside in the United States, did  
3 bring to the United States said alien for the purpose of commercial  
4 advantage and private financial gain; in violation of Title 8,  
5 United States Code, Section 1324(a)(2)(B)(ii), and Title 18,  
6 United States Code, Section 2.

7 Count 2

8 On or about January 13, 2008, within the Southern District of  
9 California, defendant BENNY LOPEZ, with the intent to violate the  
10 immigration laws of the United States, knowing and in reckless  
11 disregard of the fact that an alien, namely, Victor Manuel Ayon-  
12 Lizarraga, had come to, entered and remained in the United States in  
13 violation of law, did transport and move said alien within the United  
14 States in furtherance of such violation of law; in violation of  
15 Title 8, United States Code, Sections 1324(a)(1)(A)(ii) and (v)(II).

16 Count 3

17 On or about January 13, 2008, within the Southern District of  
18 California, defendants BENNY LOPEZ and JUAN JOSE AGUIRRE-CRUZ, with  
19 the intent to violate the immigration laws of the United States,  
20 knowing and in reckless disregard of the fact that an alien, namely,  
21 Carlos Jodin Villegas-Hernandez, had not received prior official  
22 authorization to come to, enter and reside in the United States, did  
23 bring to the United States said alien for the purpose of commercial  
24 advantage and private financial gain; in violation of Title 8,  
25 United States Code, Section 1324(a)(2)(B)(ii), and Title 18,  
26 United States Code, Section 2.

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Count 4

On or about January 13, 2008, within the Southern District of California, defendant BENNY LOPEZ, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, Carlos Jodin Villegas-Hernandez, had come to, entered and remained in the United States in violation of law, did transport and move said alien within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(ii) and (v)(II).

Count 5

On or about January 13, 2008, within the Southern District of California, defendants BENNY LOPEZ and JUAN JOSE AGUIRRE-CRUZ, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, Ramon Silva-Reyes, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien for the purpose of commercial advantage and private financial gain; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii), and Title 18, United States Code, Section 2.

Count 6

On or about January 13, within the Southern District of California, defendant JUAN JOSE AGUIRRE-CRUZ, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, Ramon Silva-Reyes, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien and upon arrival did not bring and present said alien

1 immediately to an appropriate immigration officer at a designated port  
2 of entry; in violation of Title 8, United States Code,  
3 Section 1324(a)(2)(B)(iii), and Title 18, United States Code,  
4 Section 2.

5 Count 7

6 On or about January 13, 2008, within the Southern District of  
7 California, defendant JUAN JOSE AGUIRRE-CRUZ, with the intent to  
8 violate the immigration laws of the United States, knowing and in  
9 reckless disregard of the fact that an alien, namely, Victor Manuel  
10 Ayon-Lizarraga, had not received prior official authorization to come  
11 to, enter and reside in the United States, did bring to the United  
12 States said alien and upon arrival did not bring and present said  
13 alien immediately to an appropriate immigration officer at a  
14 designated port of entry; in violation of Title 8, United States Code,  
15 Section 1324(a)(2)(B)(iii), and Title 18, United States Code,  
16 Section 2.

17 Count 8

18 On or about January 13, 2008, within the Southern District of  
19 California, defendant JUAN JOSE AGUIRRE-CRUZ, with the intent to  
20 violate the immigration laws of the United States, knowing and in  
21 reckless disregard of the fact that an alien, namely, Carlos Jodin  
22 Villegas-Hernandez, had not received prior official authorization to  
23 come to, enter and reside in the United States, did bring to the  
24 United States said alien and upon arrival did not bring and present  
25 said alien immediately to an appropriate immigration officer at a  
26 designated port of entry; in violation of Title 8, United States Code,  
27 Section 1324(a)(2)(B)(iii), and Title 18, United States Code,  
28 Section 2.

Count 9

On or about May 12, 2008, within the Southern District of California, defendant BENNY LOPEZ, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, Isaias Guerrero-Maldonado, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien for the purpose of commercial advantage and private financial gain; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii), and Title 18, United States Code, Section 2.

Count 10

On or about May 12, 2008, within the Southern District of California, defendant BENNY LOPEZ, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, Isaias Guerrero-Maldonado, had come to, entered and remained in the United States in violation of law, did transport and move said alien within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(ii) and (v)(II).

Count 11

On or about May 12, 2008, within the Southern District of California, defendant BENNY LOPEZ, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, Francisco Soria-Orozco, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien for the purpose of commercial advantage and private financial

1 gain; in violation of Title 8, United States Code,  
2 Section 1324(a)(2)(B)(ii), and Title 18, United States Code,  
3 Section 2.

4 Count 12

5 On or about May 12, 2008, within the Southern District of  
6 California, defendant BENNY LOPEZ, with the intent to violate the  
7 immigration laws of the United States, knowing and in reckless  
8 disregard of the fact that an alien, namely, Francisco Soria-Orozco,  
9 had come to, entered and remained in the United States in violation  
10 of law, did transport and move said alien within the United States  
11 in furtherance of such violation of law; in violation of Title 8,  
12 United States Code, Sections 1324(a)(1)(A)(ii) and (v)(II).

13 Count 13

14 On or about May 12, 2008, within the Southern District of  
15 California, defendant BENNY LOPEZ, with the intent to violate the  
16 immigration laws of the United States, knowing and in reckless  
17 disregard of the fact that an alien, namely, Marcos Hernandez-Quiroz,  
18 had not received prior official authorization to come to, enter and  
19 reside in the United States, did bring to the United States said alien  
20 for the purpose of commercial advantage and private financial  
21 gain; in violation of Title 8, United States Code,  
22 Section 1324(a)(2)(B)(ii), and Title 18, United States Code,  
23 Section 2.

24 Count 14

25 On or about May 12, 2008, within the Southern District of  
26 California, defendant BENNY LOPEZ, with the intent to violate the  
27 immigration laws of the United States, knowing and in reckless  
28 disregard of the fact that an alien, namely, Marcos Hernandez-Quiroz,

1 had come to, entered and remained in the United States in violation  
2 of law, did conceal, harbor and shield from detection such alien in  
3 a shed located at 875 Bonds Corner Road, Calexico, California; in  
4 violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii)  
5 and (v)(II).

6 Count 15

7 On or about May 12, 2008, within the Southern District of  
8 California, defendant BENNY LOPEZ, with the intent to violate the  
9 immigration laws of the United States, knowing and in reckless  
10 disregard of the fact that an alien, namely, Pedro Gamboa-Ocana, had  
11 not received prior official authorization to come to, enter and reside  
12 in the United States, did bring to the United States said alien for  
13 the purpose of commercial advantage and private financial gain; in  
14 violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii),  
15 and Title 18, United States Code, Section 2.

16 Count 16

17 On or about May 12, 2008, within the Southern District of  
18 California, defendant BENNY LOPEZ, with the intent to violate the  
19 immigration laws of the United States, knowing and in reckless  
20 disregard of the fact that an alien, namely, Pedro Gamboa-Ocana, had  
21 come to, entered and remained in the United States in violation of  
22 law, did conceal, harbor and shield from detection such alien in a  
23 shed located at 875 Bonds Corner Road, Calexico, California; in  
24 violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii)  
25 and (v)(II).

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Count 17

On or about May 12, 2008, within the Southern District of California, defendant BENNY LOPEZ, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, Arturo Andrade-Perez, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien for the purpose of commercial advantage and private financial gain; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii), and Title 18, United States Code, Section 2.

Count 18

On or about May 12, 2008, within the Southern District of California, defendant BENNY LOPEZ, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, Arturo Andrade-Perez, had come to, entered and remained in the United States in violation of law, did conceal, harbor and shield from detection such alien in a shed located at 875 Bonds Corner Road, Calexico, California; in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii) and (v)(II).

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Pretrial Release Allegations

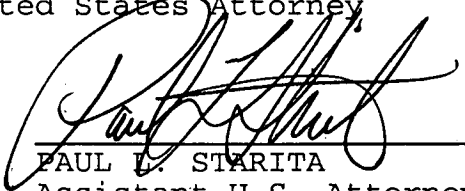
It is further alleged that defendant BENNY LOPEZ, committed the offenses alleged in Counts 9-18, while he was on pretrial release for the offenses charged in counts 1-8, and, therefore, is subject to an enhanced penalty of not more than 10 years imprisonment, pursuant to Title 18, United States Code, Section 3147.

DATED: May 28, 2008.

A TRUE BILL:

  
Foreperson

KAREN P. HEWITT  
United States Attorney

By:   
PAUL L. STARITA  
Assistant U.S. Attorney